

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES – GENERAL

Case No. 2:23-cv-01400-MEMF (PVCx) Date: July 26, 2023

Title Juan Valencia v. Ponycreek Ventures, LLC et al

Present: The Honorable: Maame Ewusi-Mensah Frimpong

<u>Kelly Davis</u> Deputy Clerk	<u>None</u> Court Reporter / Recorder
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Attorneys Present for Plaintiffs:
None Present

Attorneys Present for Defendants:
None Present

Proceedings: (IN CHAMBERS) ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On February 24, 2023, Plaintiff Juan Valencia (“Valencia”) filed a Complaint for Injunctive Relief and Damages for Denial of Civil Rights of a Disabled Person. ECF 1.

On June 6, 2023, the Court ordered Valencia to show cause in writing no later than June 12, 2023, why this action should not be dismissed as to all remaining defendants for lack of prosecution. ECF No. 10 (“OSC”). The OSC made clear that the Court would accept either a written response or Valencia filing Proofs of Service of the Complaint on all Defendants. *See id.*

On June 12, 2023, Valencia filed a Response to the OSC which explained the efforts Valencia (and his process server) had made to serve the Defendants and requested an additional month to complete this service. ECF No. 11.

The additional month Valencia requested has passed. There is still no indication on the docket that Valencia has served Defendants, and Valencia has made no further requests for extensions of time.

Accordingly, this case is hereby DISMISSED for lack of prosecution. This dismissal is WITHOUT PREJUDICE meaning that Plaintiff may refile this action if he so chooses. *See Fed. R. Civ. P. 41(b).*

Initials of Preparer

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